



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Z.Q. Xia et al.

Attorney Docket No.: WSUR116430

Application No.: 09/673,918

Group Art Unit: 1652

Filed: January 2, 2001

Examiner: Y.D. Pak

Title: RECOMBINANT SECOISOLARICIRESINOL  
DEHYDROGENASE, AND METHODS OF USE

**RECEIVED**

FEB 24 2004

DECLARATION OF NORMAN G. LEWIS  
PURSUANT TO 37 C.F.R. 1.132, AND M.P.E.P. SECTIONS 715.01(C) AND 716.10

TO THE COMMISSIONER FOR PATENTS:

I, Norman G. Lewis, declare as follows:

1. I am an inventor of the subject matter described and claimed in United States Patent Application No. 09/673,918, having an international filing date of April 23, 1999, and a priority date of April 24, 1998, entitled Recombinant Secoisolariciresinol Dehydrogenase, and Method of Use.

2. I am a co-author of the abstract entitled "Purification of Secoisolariciresinol Dehydrogenase" (*Plant Physiology*, (Abstract), published in May 1997) (hereinafter referred to as "the Davin et al. abstract"), and I am an inventor of the subject matter which is disclosed in the Davin et al. abstract and in the above-referenced patent application.

3. In addition to myself, there are four other co-authors of the Davin et al. abstract: Laurence B. Davin, Zhi-Qiang Xia, Michael A. Costa, and Masayuki Fujita. Each of the foregoing co-authors are also named as inventors in the above-referenced patent application except for Masayuki Fujita.

4. Masayuki Fujita was a post-doctoral research fellow who worked in my laboratory at the Institute of Biological Chemistry, Washington State University. Dr. Fujita helped to characterize another enzyme in the same biochemical pathway as secoisolariciresinol

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

dehydrogenase. Dr. Fujita did not contribute to the isolation, cloning or characterization of secoisolariciresinol dehydrogenase.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Dated: 9 January 2004

Norman G. Lewis

By: Norman G. Lewis

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100